

MINUTES OF THE CITY COUNCIL
OF THE CITY OF PULLMAN
OCTOBER 18, 2011

Roll Call

A regular meeting of the City Council of the City of Pullman was held on October 18, 2011, at 7:30 p.m. in Council Chambers, City Hall, Pullman, Washington with the following present:

Glenn A. Johnson	Mayor
Jane Joyce	Deputy City Clerk
Francis Benjamin	Councilmember
Jeff Hawbaker	Councilmember
Bill Paul	Councilmember
Barney Waldrop	Councilmember
Nathan Weller	Councilmember

Call to Order

Mayor Johnson called the regular meeting to order at 7:30 p.m. Councilmember Paul moved, Councilmember Weller seconded to excuse Councilmembers Bloom and Wright from this meeting.

Motion Carried.

Announcements

Mayor Johnson made four announcements including an announcement that Pullman Transit had received a grant of \$1,500,000 to purchase three hybrid buses. He also announced that the Friends of Neill Public Library had donated over \$27,000 to the library this year.

ORDER OF BUSINESS

Approval of Recommendations of Consent Agenda Items

CONSENT AGENDA

Mayor Johnson reviewed the items on the Consent Agenda with the Council and audience. He stated that items listed on the Consent Agenda are considered to be routine in nature and will be enacted by a single motion of the Council without separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by Council request. Councilmember Weller moved, Councilmember Benjamin seconded to read the items on the Consent Agenda by title only.

Motion Carried.

City Attorney McAloon read the items on the Consent Agenda by title only. She announced that item No. 10 had a typographical error in it and an ordinance correcting the error had been placed before them. Mayor Johnson asked if there were any requests for removal of items from the Consent Agenda from the Council. There were none. Councilmember Benjamin moved, Councilmember Weller seconded to adopt the Consent Agenda as presented.

Motion Carried.

Motions

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| Contract with Whitman County Humane Society | 1. | The Council authorized a contract with Whitman County Humane Society, Inc. for calendar year 2012. |
| Washington Traffic Safety | 2. | The Council approved a Memorandum of Understanding (MOU) with the Washington Traffic Safety |

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| Commission Grant | | Commission (WTSC) to accept grant funding and agree to participate in the traffic safety activities identified in the MOU. |
| TUI Technology Unlimited Contract | 3. | The Council authorized a contract with TUI Technology Unlimited Inc. for the purchase of Image Payment Processing Equipment. |
| Shirrod Family Memorial Fund | 4. | The Council recommended the expenditure of \$18,509 from the Shirrod Family Memorial Fund for maintenance services for the Heritage Addition. |
| Washington State Department of Labor and Industries Safety and Health Investment Projects Grant | 5. | The Council authorized a grant application for a Washington State Department of Labor and Industries (L&I) Safety and Health Investment Projects (SHIP) grant. |
| Interlocal Agreement Extension | 6. | The Council approved an interlocal agreement extension with Pullman School District No. 267 for operation of the Pullman Aquatic & Fitness Center. |
| Central Business District Lighting Change Order | 7. | The Council ratified Change Order No. 1 to Contract No. 10-15. |
| M&O Quonset Building Electrical Remodel Change Order | 8. | The Council ratified Change Order No. 1 to Contract No. 10-11, M&O Quonset Building Electrical Remodel. |

Resolution

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| Resolution No. R-70-11 - City Hall Standby Generator | 9. | Resolution No. R-70-11

A RESOLUTION ACCEPTING THE BID OF BCL ELECTRIC, INC. FOR CITY HALL STANDBY GENERATOR AND AUTHORIZING EXECUTION AND DELIVERY OF THE CONTRACT FOR SAID PROJECT. |
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Resolution No. R-70-11 was adopted unanimously.

Ordinance

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| Ordinance No. 11-13 - Noise Ordinance | 10. | Ordinance No. 11-13

AN ORDINANCE RELATING TO THE ENFORCEMENT OF VIOLATIONS OF THE PROVISIONS OF THE NOISE ORDINANCE; AMENDING PULLMAN CITY CODE 8.80.020 AND PULLMAN CITY ORDINANCE NO. 05-8 §3, 2005. |
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Ordinance No. 11-13 was adopted unanimously.

REGULAR AGENDA

Public Hearing

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| Moratorium on Medical Marijuana Collective Gardens | 11. | Mayor Johnson announced that a public hearing had been scheduled on the moratorium on Medical Marijuana collective gardens. City Attorney McAloon presented the staff report stating that RCW 36.70A.309 allows local governments to enact moratoria or interim controls. A public hearing on the moratorium must be held within 60 days of the enactment of the moratorium. She stated that Resolution No. R-60-11 was effective upon adoption and is effective until March 1, 2012. She stated that following the public hearing they may choose to add additional findings of facts to the resolution. |
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City Attorney McAloon went through the history of the medical marijuana collective gardens issue. She stated that Resolution No. R-60-11 also directs staff to prepare a work plan for the moratorium period. This will involve researching and gathering information from the federal government, state government, local and federal law enforcement agencies, other municipalities, and City staff. It may mean preparation of proposed regulations for Council consideration or a recommendation not to add additional local regulations. She stated that a draft work plan is being circulated to staff to obtain their input. The final work plan will be brought to Council for approval. She advised the Council that their role was to take public comment on the moratorium on the establishment of collective gardens for medical marijuana only.

Mayor Johnson opened the public hearing. There was no one wishing to speak. Mayor Johnson closed the public hearing.

Councilmember Waldrop stated that he sees no reason to regulate this as it is illegal by federal law.

Councilmember Benjamin stated that the terms cannabis and marijuana are both used. City Attorney McAloon stated that cannibis is the Latin term for marijuana and both terms are used in the legislation. Councilmember Benjamin asked if the federal government used the term cannabis. City Attorney McAloon responded in the affirmative.

Resolution

Resolution No. 12.
R-71-11 - Higher
Education Funding

Mayor Johnson announced that a resolution has been prepared urging the governor and legislature not to make additional cuts in higher education funding. City Supervisor Sherman presented the staff report stating the Pullman City Council met with ASWSU on September 27, 2011. One of the topics of discussion was the large cuts to higher education. Higher education funding has been cut over 50 percent and large tuition increases have also occurred. He stated that over 500 positions have been eliminated at WSU. He stated that higher education creates jobs. He mentioned several local businesses that are a result of WSU, such as Schweitzer Engineering, Metriguard, and Decagon.

Councilmember Paul stated he felt that language about the importance of education and public schools should be added to the resolution. Councilmember Waldrop wanted language added that State funding cuts to WSU are over 50 percent.

Resolution No. R-71-11 by title only reads as follows:

A RESOLUTION URGING THE GOVERNOR AND THE WASHINGTON STATE LEGISLATURE NOT TO MAKE ADDITIONAL CUTS IN HIGHER EDUCATION FUNDING IN VIEW OF THE DEEP CUTS THAT HAVE ALREADY BEEN MADE.

Councilmember Waldrop moved, Councilmember Weller seconded to adopt Resolution No. R-71-11 as amended. The motion carried unanimously.

Discussion

Pullman 2020
Presentation -
Community Action
Center

13. Mayor Johnson announced that a Pullman 2020 presentation is scheduled with Community Action Center. City Supervisor Sherman stated that the kickoff of the Pullman 2020 was Thursday, September 8, by WSU President Floyd and Ed Schweitzer.

Amy Robbins of Community Action Center stated that they have provided services to low-income residents of Whitman County since 1988. There are over 900 nationwide Community Action Centers. In Pullman, they help 1,800 with energy assistance and the foodbank provides for 200 a month.

She discussed four things that they feel are important to Pullman. The first is jobs. This would be diversified jobs in all education levels. These jobs would provide a living wage. Second is the Transit System. Transit is important to the households they serve. She would like to see more stops added. Third is access to mental health services. This is very important. The Transit System helps get individuals to mental health professionals. The last was Parks and Recreation programs. These are not just important to youth, but to all residents.

She stated that with State and Federal cuts, the local services become important. We need to support each other, come together, and move forward.

Mayor Johnson asked her to explain the difference between the two food banks in Pullman.

Ms. Robbins stated that the food bank they run receives state and federal funds. Due to this, they have rules and laws they have to consider. Pullman Child Welfare is a volunteer organization. They can help in various ways that Community Action cannot. Pullman Child Welfare fills the immediate need. She stated it is good to have both food banks.

Councilmember Weller thanked them for their services and asked when they have the most need. Ms. Robbins stated that this community has a large group of young people at WSU who hold food drives and gather cash. During the winter months there are a lot of food drives. During the summer months food needs increase as children are not in school.

Councilmember Paul stated that local markets give large donations and is there still a need for a large space to store the goods. Ms. Robbins stated that this is correct, they receive large donations. When this happens they work with other food banks. It is her dream to have a large space to store goods.

Councilmember Benjamin asked her, as part of 2020, what do they need to plan for now. This would be issues to be aware of for the future. Ms. Robbins responded that affordable housing for families and mental health issues, such as access to treatment, are important. Councilmember Benjamin stated that years ago, California released people from mental health institutions and told them that Washington was a good place to go for services. Ms. Robbins responded that is true, but we are now

cutting services.

Councilmember Waldrop thanked her and the staff and asked about funding cuts. Ms. Robbins responded that the Community Service Block grant could be cut. It allows them to work case management. It helps with the big picture. She stated energy assistance has been cut 50 percent this year to \$680,000 and that programs are being reduced.

Councilmember Waldrop asked if mental health services were under their umbrella. Ms. Robbins responded that they were not, but they deal with them every day. Councilmember Waldrop stated that the Mental Health Act deinstitutionalised individuals. They were doing well so they were released. It has created an issue.

Mayor Johnson stated that he has talked to the Governor about mental health issues. When individuals do not get their meds it affects us. He also asked Ms. Robbins to discuss Community Action's affordable housing.

Ms. Robbins stated that in October they opened a nine-unit facility on Davis Way. It is transitional housing with staff on site. They can live there one to two years and they have to participate in case management. The goal is to help them, support them, and help them become self-sufficient.

Ms. Robbins stated that they opened a 27-unit complex on Terre View. They have another 27 units being built. The rent for these units is based on income.

They are building 8 units of self-help housing. Four of the units are in Colfax and four are in Palouse. These are first-time homes with low-interest loans. They are losing self-help funding.

Mayor Johnson thanked Ms. Robbins and Community Action Center for the presentation.

NEW BUSINESS

Mayor Johnson asked if there was any new business from either the Council or audience. City Attorney McAloon stated that she had participated in a conference call with 15 other cities regarding proposed new rules for indigent defense standards. We currently pay for this through our contract with Whitman County. They are currently considering felony defense and will consider misdemeanor defense in the spring. She wants to be proactive. She feels these would be unnecessary and excessive. The Association of Washington Cities (AWC), Washington State Association of Municipal Attorneys (WSAMA), and other groups are preparing comments which are due October 31, 2011. WSAMA feels this is unconstitutional as they can add rules if there is a statewide problem. This is not a statewide issue. It would add costs to cities. The group has discussed joining together to hire an attorney that specializes in unconstitutionality. The attorney is Hugh Spitzer who is a specialist in this area. She asked the Council if they wished to give up to \$1,000 to help pay for the attorney. She stated that more cities are joining and the cost should go down. She also commended Whitman County

Prosecutor Denis Tracy who is on a committee and is one of two who voted against the rules. He stated the rules are not needed.

Councilmember Waldrop moved, Councilmember Benjamin seconded to pay up to \$1,000 to join other cities in fighting these rules. The motion carried unanimously.

Councilmember Paul requested more details on this issue. City Attorney McAloon stated that it would set minimum standards including providing an office and phone. She stated that the indigent defense attorneys do not like this. The rules are a result of a case in Grant County where it was ruled that a defendant did not have an adequate defense. The attorney had too large a case load. City Attorney McAloon stated that there are already rules to deal with this issue. She stated that the costs would increase if this goes into effect.

ADJOURNMENT

Councilmember Paul moved, Councilmember Benjamin seconded to adjourn the regular meeting of the City Council.

Motion Carried.

Mayor Johnson adjourned the regular meeting of the City Council at 8:19 p.m.